

# **EXHIBIT C**

**Gary Arthur**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Johnson, et al. v. The Islamic Republic of Iran</i>	18-cv-12344 (GBD)(SN) ECF Case

**DECLARATION OF GARY ARTHUR**

I, Gary Arthur, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than eighteen (18) years of age and I have personal knowledge of and am competent to testify to the matters stated in this declaration.
2. I was a citizen of the United States on September 11, 2001, and I remain so today.
3. On September 11, 2001, I was present in New York City when the terrorist attacks on the World Trade Center (WTC) occurred. I was a police officer with the New York Police Department (NYPD) assigned to Manhattan South. On the morning of 9/11, I was on patrol and heard through radio traffic that a plane had hit the WTC. I returned to the precinct where the Lieutenant was sending senior officers to the site. I was assigned to the precinct and was given the responsibility for emergency communications. We could see the smoke and fire at the WTC from our precinct and the people coming away from the site were covered with ash.
4. The following day I was sent to Ground Zero as part of crime scene security to ensure that only authorized personnel were permitted in. The ash and debris at the WTC were ankle deep. The air was filled with ash, soot, and paper particles. It remained this way for weeks after the attacks. We were placed on twelve-hour shifts which generally lasted longer than twelve

hours. I was assigned to the security detail at Ground Zero for two months following the attacks.

The site continued to burn entire time I was there.

5. We did not receive any protective gear until our second week at Ground Zero. At that point, we were provided paper masks. A few weeks later we were provided masks with filters. The provision of masks was the extent of the protective equipment provided by NYPD.

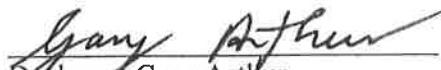
6. I began having respiratory problems several months after I left the site. It started with irritation of my nose and throat and later developed into difficulty with shortness of breath. I saw my private primary care doctor for these symptoms few many years.

7. Through the Police Benevolent Association, I heard about the monitoring program through the World Trade Center Health Program (WTCHP). In 2012, I began to participate in the WTCHP for my annual medical screening. During this time, I was also made aware of the Victim Compensation Fund (VCF). My physical injuries and conditions were confirmed through the World Trade Center Health Program (WTCHP) and determined to have been caused by my exposure to the environmental toxins while I was assigned to the WTC security detail.

8. Following the evaluation of my conditions by the WTCHP, I pursued a claim with the VCF and was found eligible for compensation for what was described as asthma, unspecified, unspecified status and chronic rhinitis. A true and correct copy of the VCF eligibility determination letter documenting the physical injuries I suffered as a result of the attacks on 9/11 is submitted with this declaration as part of this exhibit.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 21 day of May, 2025.

  
Declarant Gary Arthur



September 11th  
Victim Compensation Fund

December 27, 2013

GARY ARTHUR



Dear Gary Arthur:

Your Eligibility Form for the September 11th Victim Compensation Fund (VCF) has been reviewed. You submitted an Eligibility Form for Personal Injury Claimants. Your claim number is VCF0009826. The Claims Evaluator determined that your Eligibility Form was substantially complete on December 27, 2013. As stated in the Regulations and on the Eligibility Form, by filling a substantially complete Eligibility Form, you have waived your right to file or be a party to a September 11th-related lawsuit.<sup>1</sup> For more information about this topic, please review Frequently Asked Questions (FAQ) 7.1-7.4 on <http://www.vcf.gov/faq.html>.

#### The Decision on your Claim

The VCF has determined that you meet the eligibility criteria established in the statute (the Zadroga Act and the original statute) and regulations and therefore the VCF will review your Compensation Form and supporting materials to determine the amount of any award. Based on the information you submitted and information the VCF has received from the World Trade Center Health Program (WTCHP), you have been found eligible for the following injuries:

- Asthma, Unspecified, Unspecified Status
- Chronic Rhinitis

Please note that there are several reasons why an injury that you think should be eligible is not listed above. First, for non-traumatic injuries, the description of the injury is based on the information provided by the WTCHP and there can be several alternative descriptions for the same injury. Additionally, a WTCHP physician may have provided testing or treatment for an injury even if the WTCHP has not certified that injury for treatment. Finally, your injury may not be listed if it was only recently certified for treatment by the WTCHP. The VCF regularly receives updated information from the WTCHP and will notify you if additional injuries have become eligible.

#### What Happens Next

The VCF will determine your compensation award based solely on the eligible injuries listed above. In order for the VCF to do so, you must submit the Compensation Form for Personal Injury Claimants and the required supporting documents. If you have not already done so, please

<sup>1</sup> The Statute (the Air Transportation Safety and System Stabilization Act as amended by the Zadroga Act) and the Regulations are located at <http://www.vcf.gov/lawRulesOtherDocs.html>.



September 11th  
Victim Compensation Fund

submit the Compensation Form and the required supporting documents as soon as possible. You are encouraged to submit the Compensation Form through the VCF's web-based claim system at [www.vcf.gov](http://www.vcf.gov). If you wish to complete the Compensation Form in hardcopy, you may request the form by contacting the toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-353-0356.

In addition to the Compensation Form, please also complete and submit the VCF ACH Payment Information Form. This form can be found on our website in Section 8 of the Frequently Asked Questions (FAQs). The completed form must be submitted before the VCF can arrange for any payment.

The VCF will be able to determine your compensation award based on the eligible conditions after all compensation related documents are submitted. When you receive an award letter, you will have the right to appeal. In that appeal, you have the right to assert additional injuries that you believe are eligible and for which you believe you should be compensated. For purposes of the statutory deadlines, the injuries listed in your claim form and the injuries certified as eligible will be deemed "filed". You will receive instructions on the appeal process when you receive the letter with details of your compensation award.

If you have questions about the information in this letter or the claims process in general, please contact our toll-free Helpline at the number noted above. Every effort will be made to respond to your inquiries as soon as possible.

Sincerely,

September 11th Victim Compensation Fund